

## JONES DAY

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May 24, 2022

### VIA ECF

The Honorable J. Paul Oetken  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: Stafford v. International Business Machines Corporation  
Case No. 21-CV-06164 (S.D.N.Y.)

Dear Judge Oetken:

Respondent International Business Machines Corporation (“IBM”) submits this letter to respectfully request that the Court clarify its May 10, 2022 Opinion & Order (the “Order”), Dkt. No. 28, to ensure that the Clerk of Court unseals the proper version of the sealed arbitration award, if IBM does not file a timely Notice of Appeal. Plaintiff consents to IBM’s request.

In the Order, the Court directed the parties “to confer on any sensitive information about the non-party IBM employee and file proposed redactions under seal within two weeks after the issuance of this Opinion & Order, regardless of whether IBM plans to appeal.” (Order at 7.) The Parties conferred and have submitted the proposed redactions under seal today. (*See* Dkt. No. 29.)

In the Order and docket text entry, the Court also directed the Clerk of Court “to unseal Docket Number 7 thirty days after the date of this Opinion and Order, except that Docket Number 7 should remain sealed if IBM files a timely Notice of Appeal.” (Order at 8.) Docket Number 7 is the *unredacted* award. The Parties’ understanding is that the redacted award filed at Docket Number 29 is the award that should be unsealed (if IBM does not file a timely Notice of Appeal), according to the Court’s Order. Accordingly, IBM asks the Court to clarify that, should IBM not file a timely Notice of Appeal, the Clerk of Court should unseal the redacted award at Docket Number 29, and should *not* unseal the unredacted award at Docket Number 7.

Thank you for the Court’s attention to this matter.

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Respectfully submitted,

/s/ Matthew W. Lampe

Matthew W. Lampe

cc: All counsel of record

Granted. The Court hereby CLARIFIES that, if IBM does not file a timely notice of appeal, the Clerk of Court should unseal the redacted award at Docket Number 29, and should *not* unseal the unredacted award at Docket Number 7.

Because the Clerk's Office does not track cases, the Court will notify the Clerk's Office to unseal Docket Number 29 on June 10, 2022, unless IBM files a timely notice of appeal.

(The Clerk is directed to close the motion at Docket No. 30.)

So ordered:

5/25/2022



J. PAUL OETKEN  
United States District Judge